

M.Cr. C. No.6313/2012**31/8/2012**

Shri I. Ansari, learned Counsel for the applicant.

Shri Rahul Vijayvargiya, learned Counsel for the respondent/ State.

By this application filed under section 439 of the Cr.P.C., applicant Jitendra has moved the application for grant of bail being implicated in crime No.440/2012 registered by police station Aerodrome Road, District Indore for offence under Section 3,4 and 5 of the Immoral Trafficking Act.

Counsel for the applicant has vehemently urged the fact that it was a case of false implication. Counsel submitted that the applicant is an innocent person and has been falsely implicated in the matter since the applicant was merely a customer and there are allegations against main accused Yogesh. Moreover, Counsel submitted that the applicant is only 25 years of age and his entire family is suffering due to his arrest. Hence, Counsel prayed for grant of bail since the applicant has been arrested on 16/7/2012.

Counsel for the respondent State, on the other hand, opposed the submissions of the Counsel for the applicant and has submitted that the applicant was

fully involved in the matter. Hence, Counsel has prayed for dismissal of the application.

On considering the above submissions, material available in the case diary and looking to the nature of allegations, I find that the application needs to be allowed considering the young age of the applicant and it is hereby allowed in the interest of justice. However, stringent condition needs to be imposed.

It is ordered that the applicant be released on bail on his furnishing a personal bond for a sum of **Rs.25,000/-** (Rupees Twenty five thousand only) with one surety in the like amount to the satisfaction of the Trial Court for his appearance before the concerned trial Court on all dates of hearing as may be fixed by the Trial Court in this behalf during the pendency of trial.

It is further directed that the applicant shall attend on each date of hearing of his trial before the concerned Court out of which this bail arises. In addition, he shall also mark his presence in the concerned police station on **first Sunday** of every month between 10 a.m. to 12 a.m during the pendency of the trial. Any default in attendance in Court and marking his presence in the concerned police station,

would result in cancellation of bail granted by this Court thereby entitling the police to take the applicant in custody immediately.

It is also directed that the applicant shall abide by all the conditions enumerated under Section 437(3) of the Cr.P.C.

C.c. as per rules.

(Mrs. S.R. Waghmare)
Judge

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